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FEB 06 2013	
CLERK U S DISTRICT COURT DISTRICT OF ARIZONA	
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# SEALED

UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA

United States of America,

Plaintiff,

v.

Jose Guadalupe Tapia-Quintero,  
aka "Lupe,"  
(Counts 1 - 5)

Defendant.

NC CR-13-00179-PHX-SRB (MHB)

## INDICTMENT

VIO: 21 U.S.C. § 963  
(Conspiracy to Distribute  
Methamphetamine, a Controlled  
Substance, with Intent to Import  
into the United States)  
Count 1

21 U.S.C. § 963  
(Conspiracy to Import  
Methamphetamine,  
a Controlled Substance)  
Count 2

21 U.S.C. § 846  
(Conspiracy to Possess with the  
Intent to Distribute  
Methamphetamine,  
a Controlled Substance)  
Count 3

18 U.S.C. § 1956(h)  
(Conspiracy to Commit  
Promotional Money Laundering)  
Count 4

18 U.S.C. § 1956(h)  
(Conspiracy to Commit  
Concealment Money Laundering)  
Count 5

18 U.S.C. § 2  
(Aiding and Abetting)  
Counts 1, 2, and 3

21 U.S.C. § 853  
(Forfeiture Allegations)

1 THE GRAND JURY CHARGES:

2 COUNT 1

3 Beginning in or about December, 2006, the exact date being unknown, and continuing  
4 through in or about March, 2012, the exact date being unknown, in the District of Arizona, and  
5 elsewhere, defendant, JOSE GUADALUPE TAPIA-QUINTERO, did knowingly and  
6 intentionally combine, conspire, confederate, and agree with persons known and unknown to the  
7 Grand Jury to distribute 500 grams or more of a mixture or substance containing a detectable  
8 amount of methamphetamine, its salts, isomers, or salts of its isomers, a Schedule II controlled  
9 substance, intending that such controlled substance be unlawfully imported into the United  
10 States, in violation of Title 21, United States Code, Sections 959(a)(1) and 960(b)(1)(H).

11 All in violation of Title 21, United States Code, Section 963, and Title 18, United States  
12 Code, Section 2.

13 COUNT 2

14 Beginning in or about December, 2006, the exact date being unknown, and continuing  
15 through in or about March, 2012, the exact date being unknown, in the District of Arizona, and  
16 elsewhere, defendant, JOSE GUADALUPE TAPIA-QUINTERO, did knowingly and  
17 intentionally combine, conspire, confederate, and agree with persons known and unknown to the  
18 Grand Jury to import into the United States from a place outside thereof, 500 grams or more of  
19 a mixture or substance containing a detectable amount of methamphetamine, its salts, isomers,  
20 or salts of its isomers, a Schedule II controlled substance, in violation of Title 21, United States  
21 Code, Sections 952(a) and 960(b)(1)(H).

22 All in violation of Title 21, United States Code, Section 963, and Title 18, United States  
23 Code, Section 2.

24 COUNT 3

25 Beginning in or about December, 2006, the exact date being unknown, and continuing  
26 through in or about March, 2012, the exact date being unknown, in the District of Arizona, and  
27 elsewhere, defendant, JOSE GUADALUPE TAPIA-QUINTERO, did knowingly and  
28

1 intentionally combine, conspire, confederate, and agree with other persons known and unknown  
2 to the Grand Jury to possess with the intent to distribute 500 grams or more of a mixture or  
3 substance containing a detectable amount of methamphetamine, its salts, isomers, or salts of its  
4 isomers, a Schedule II controlled substance, in violation of Title 21, United States Code,  
5 Sections 841(a)(1) and 841(b)(1)(A)(viii).

6 All in violation of Title 21, United States Code, Section 846, and Title 18, United States  
7 Code, Section 2.

8 **COUNT 4**

9 Beginning in or about December, 2006, the exact date being unknown, and continuing  
10 through in or about March, 2012, the exact date being unknown, in the District of Arizona, and  
11 elsewhere, defendant, JOSE GUADALUPE TAPIA-QUINTERO, did knowingly and  
12 intentionally combine, conspire, confederate, and agree with persons known and unknown to the  
13 Grand Jury to knowingly conduct and attempt to conduct financial transactions affecting  
14 interstate commerce, which in fact involved the proceeds of specified unlawful activity, that is,  
15 the possession with intent to distribute methamphetamine, in violation of Title 21, United States  
16 Code, Section 841(a)(1), with the intent to promote the carrying on of said specified unlawful  
17 activity, and while knowing that the property involved in the financial transactions represented  
18 the proceeds of some form of unlawful activity, in violation of Title 18, United States Code,  
19 Section 1956(a)(1)(A)(i).

20 All in violation of Title 18, United States Code, Section 1956(h).

21 **COUNT 5**

22 Beginning in or about December, 2006, the exact date being unknown, and continuing  
23 through in or about March, 2012, in the District of Arizona, and elsewhere, defendant, JOSE  
24 GUADALUPE TAPIA-QUINTERO, did knowingly and intentionally combine, conspire,  
25 confederate and agree with persons known and unknown to the Grand Jury to knowingly conduct  
26 and attempt to conduct financial transactions affecting interstate commerce, which in fact  
27 involved the proceeds of specified unlawful activity, that is, the possession with intent to

1 distribute methamphetamine, in violation of Title 21, United States Code, Section 841(a)(1),  
2 knowing that the transactions were designed in whole and in part to conceal and disguise the  
3 nature, location, source, ownership and control of the proceeds of said specified unlawful  
4 activity, and while knowing that the property involved in the financial transactions represented  
5 the proceeds of some form of unlawful activity, in violation of Title 18, United States Code,  
6 Section 1956(a)(1)(B)(i).

7 All in violation of Title 18, United States Code, Section 1956(h).

8 **FORFEITURE ALLEGATION**

9 The Grand Jury realleges and incorporates the allegations of Counts 1 through 5 of this  
10 Indictment, which are incorporated by reference as though fully set forth herein.

11 1. **DRUG OFFENSES**

12 Pursuant to Title 21, United States Code, Section 853, and upon conviction of one or  
13 more of the offenses alleged in Counts 1 through 3 of this Indictment, defendant, JOSE  
14 GUADALUPE TAPIA-QUINTERO, shall forfeit to the United States of America all right, title,  
15 and interest in (a) any property constituting, or derived from, proceeds obtained, directly or  
16 indirectly, as the result of the offense(s), and (2) any property of defendant, JOSE  
17 GUADALUPE TAPIA-QUINTERO, used, or intended to be used, in any manner or part, to  
18 commit, or to facilitate the commission of, any such offense(s), as to which property defendant,  
19 JOSE GUADALUPE TAPIA-QUINTERO, is jointly and severally liable.

20 2. **MONEY LAUNDERING OFFENSES**

21 Pursuant to Title 18, United States Code, Section 982(a)(1), and upon conviction of one  
22 or more of the offenses alleged in Counts 4 and 5 of this Indictment, defendant, JOSE  
23 GUADALUPE TAPIA-QUINTERO, shall forfeit to the United States all right, title, and interest  
24 in any and all property, real or personal, involved in such offenses, or any property traceable to  
25 property involved in each offense, or conspiracy to commit such offense, including: (a) all  
26 money or other property that was the subject of each transaction, transportation, transmission or  
27 transfer in violation of Title 18, United States Code, Section 1956(a)(1); (b) all commissions,  
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1 fees and other property constituting proceeds obtained as a result of those violations; and (c) all  
2 property used in any manner or part to commit or to facilitate the commission of those  
3 violations.

4 3. SUBSTITUTE ASSETS

5 Pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18,  
6 United States Code, Section 982(b), and upon conviction of one or more of the offense(s)  
7 alleged in Counts 1 through 5 of this Indictment, defendant, JOSE GUADALUPE TAPIA-  
8 QUINTERO, shall forfeit substitute property, up to the value of the amount described for each  
9 forfeiture allegation above, if, by any act or omission of the defendant, the property described  
10 above, or any portion thereof, cannot be located upon the exercise of due diligence; has been  
11 transferred, sold to or deposited with a third party; has been placed beyond the jurisdiction of  
12 the court; has been substantially diminished in value; or has been commingled with other  
13 property which cannot be divided without difficulty.

14 All in accordance with Title 18, United States Code, Section 982, Title 21, United States  
15 Code, Section 853, and Rule 32.2(a), Federal Rules of Criminal Procedure.

16  
17 A TRUE BILL

18  
19 /S/  
FOREPERSON OF THE GRAND JURY  
Date: February 6, 2013

20  
21 JOHN S. LEONARDO  
22 United States Attorney  
23 District of Arizona

24 /S/  
WILLIAM H. BRYAN III  
25 Assistant U.S. Attorney